

REMARKS

The August 23, 2002 Office Action required the submission of an amended sequence listing. Applicants request acceptance of the enclosed paper copy and computer readable form (floppy disk) of the Sequence Listing. The amendments herein serve only to properly identify the sequences identified in application and claims. SEQ ID NO: 5 has been inserted into the sequence listing to comply with the sequence rules for sequences submitted in claims. The sequence of SEQ ID NO: 5 was incorporated by reference into the application at the time of filing in Wasmann et al., 1986. As such, no new matter has been added.

The sequence disclosure fully complies with the requirements set forth in 37 C.F.R. § 1.821 to § 1.825. Pursuant to 37 C.F.R. §1.821 (g), the undersigned attorney hereby states that this submission does not contain new matter. Pursuant to 37 C.F.R. §1.821 (f), the undersigned attorney hereby states that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821 (c) and (e), respectively, are the same.

CONCLUSION

It is respectfully submitted that the application now complies with all requirements set forth in the Office Action, including the requirements for computer readable disclosure of the biological sequences under 37 C.F.R. §1.821-1.825. Reconsideration and withdrawal of the objections to the sequence listing are earnestly solicited. Applicants verily believe that the application is in condition for allowance, and favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. Alternatively, consideration and entry of this paper is requested, as it places this application into better condition for purposes of appeal. A Notice of Appeal, in triplicate, together with the required fee therefor, is being filed concurrently under separate cover.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 
Marilyn Matthes Brogan
Registration No. 31,223
(212) 588-0800